

Guidebook

To The Carlsbad General Plan



Updated August 2004

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PREFACE

This *Guidebook* has been prepared as an aid to understanding the Carlsbad General Plan.

While it may be of interest to all members of the community, it is directed especially at those who wish a better understanding of how plans and planning affect processes bringing about the physical development of the community

The *Guidebook* explains the philosophy of general plans, as it has been developed through California statutes and case law, and the relationship between general plans and other

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planning processes and laws. It explains how land use principles, policies, and standards developed at the state level are translated into public objectives, policies, and action at the local level, and how local needs and aspirations are factored into this translation process. It explains the relationships between subdivisions, zoning, environmental review, and the provision of local public facilities, and how the general plan serves as the local constitution that brings all of these things together. In particular this *Guidebook* describes the philosophy and organization embodied in the Carlsbad General Plan. It is hoped that in a review of these matters the citizen who is concerned about land, its use, and its development will find a better understanding of law, planning, and public policy, and their implementation in Carlsbad.

This *Guidebook* is about the Carlsbad General Plan; it is not a part of it. Neither is it a summary or abstract of the Carlsbad General Plan. While a reading of the *Guidebook* may prove helpful to one's understanding, such a reading is no substitute for a reading and study of the General Plan itself.

I. CARLSBAD – THE VISION

A City that provides a balanced variety of land uses for living, business, employment, recreation, and open space opportunities.

A City that offers safe, attractive residential areas with a wide range of housing types, styles, and price levels in a variety of locations.

A City that balances the diverse living, playing, and working needs and services of the four sub-communities within the City.

A City that provides adequate public facilities to preserve the quality of life of its residents.

A City that provides a diversified, comprehensive park system that offers a wide variety of recreational activities and park facilities.

A City where travel is safe and easily accommodated whether it be by mass transit, in an automobile, on a bicycle or as a pedestrian.

A City committed to the economic growth of progressive commercial and industrial businesses to serve the employment, shopping, recreation, and service needs of its residents.

A City that recognizes the value of its unique ecological position as a coastal city of beaches, fragile lagoons, and unspoiled canyons; which has taken steps to conserve the quality and quantity of its air, water, land and biological resources.

A City that recognizes its own history; which has preserved and integrated that history in a variety of residential and commercial neighborhoods.

A City that recognizes its role as a participant in the solution of regional issues.

II. INTRODUCING CARLSBAD

The City of Carlsbad is a coastal community located in the northwestern corner of San Diego County, California, approximately 35 miles north of downtown San Diego and approximately 90 miles south of downtown Los Angeles. It shares borders with the incorporated cities of Oceanside, Vista, San Marcos, and Encinitas and a small, unincorporated area of the County of San Diego (See Map 1 – “Regional Location” and Map 2 – “City Boundaries”).

Figure 1:

REGIONAL LOCATION MAP

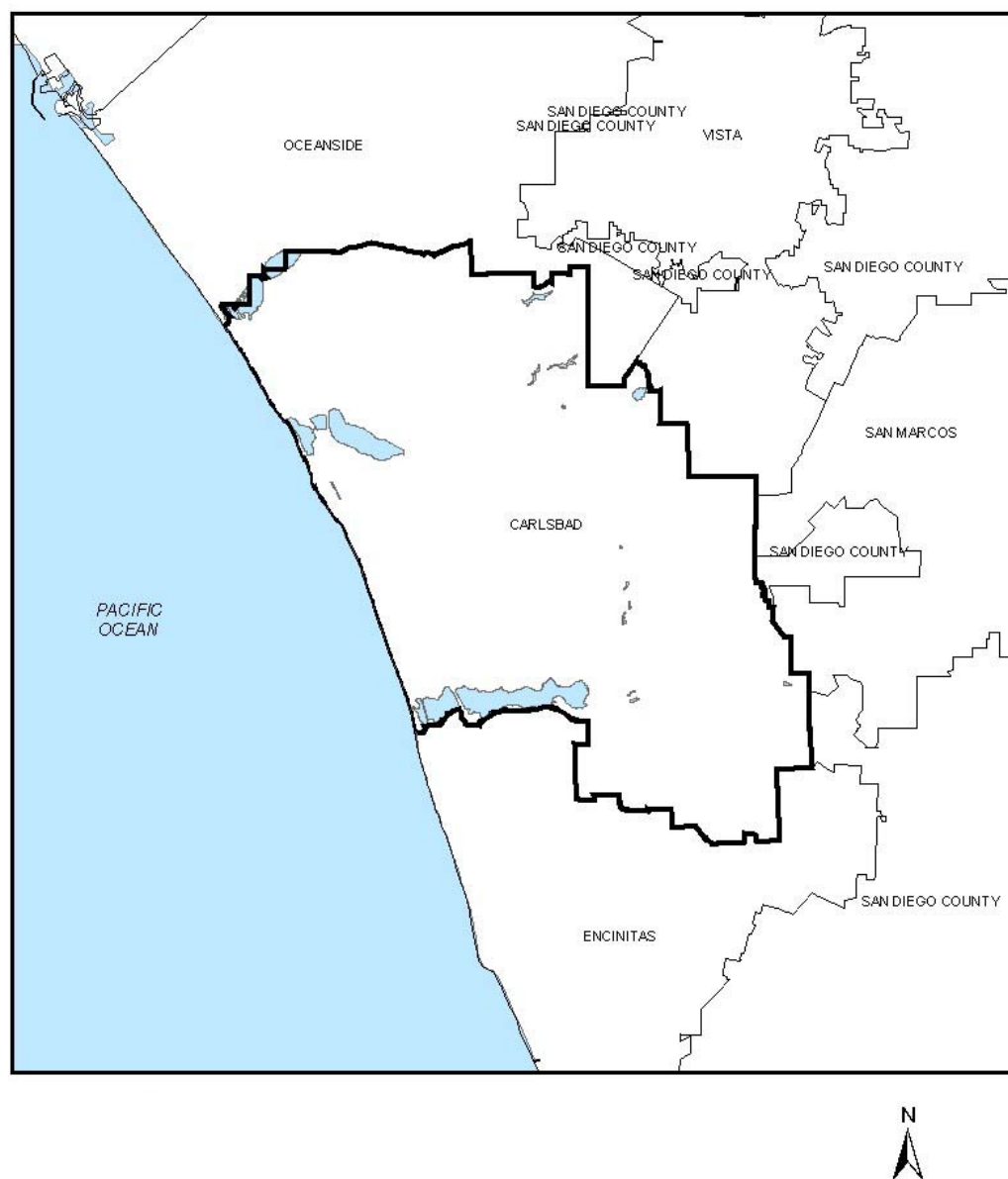
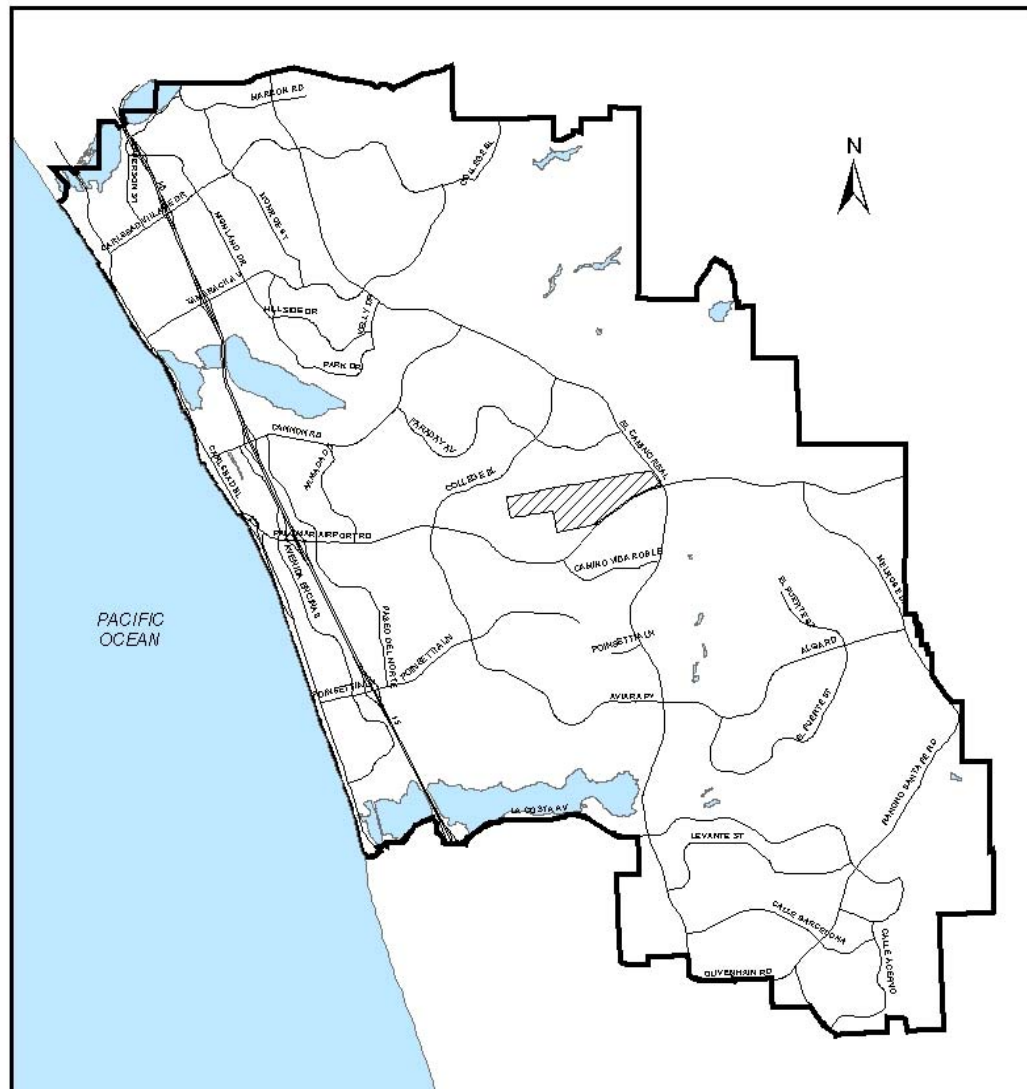


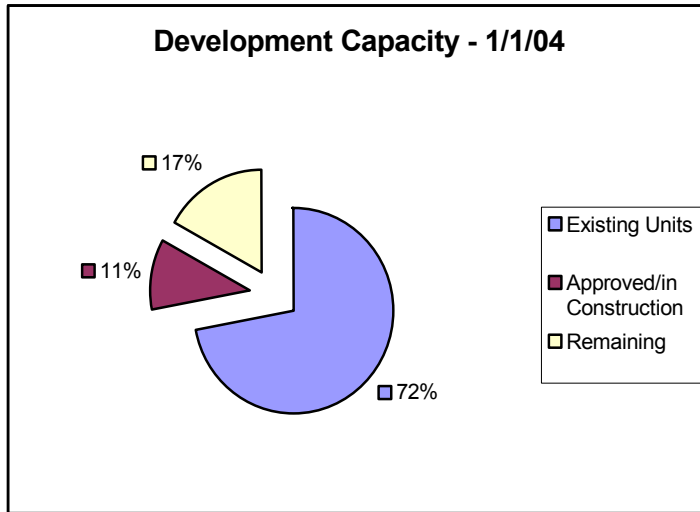
Figure 2:
Y BOUNDARIES



The City first developed around the turn of the last century as a rail stop on the southern side of the Buena Vista Lagoon, taking its name from Karlsbad, Bohemia, because of the quality of the mineral waters found in both cities. From its inception, until well after incorporation as a general law city in 1952, Carlsbad existed as a quaint village-by-the-sea. However, following a series of annexations begun in the 1960s the City began to grow gradually in area and population. From its original 7.5 square miles and 7,000 people, the City grew to its current 42.2 square miles and estimated 92,995 people (as of January 2004). All lands within the

City's official, state-approved "sphere of influence," including all unincorporated "county islands," have now been annexed, with the likely result that Carlsbad's incorporated area will not grow appreciably in the future. As the current boundaries are now likely to be the City's ultimate boundaries, future growth will occur only from within.

Since 1986 Carlsbad has been a "growth management" city in which the major public facilities are being carefully planned, financed, and their capacities sized to serve a targeted ultimate population and number of residential units (see the Land Use Element for more information on facilities planning and growth management). Based upon that targeted number of residential units, the City is developed to about 72% of its capacity as of January 2004. Another 11% of



the capacity has been planned and/or is in construction. The remaining 17% of residential capacity remains vacant and much of that land will consist of in-fill development.

In addition to the original village (now an active Redevelopment Area), the City now includes several internationally noted resorts and surrounding residential neighborhoods, a second Redevelopment Area, an international theme park (LEGOLAND), the most active general aviation airport in San Diego

County, a 2,000+ acre campus-industrial corridor (providing potential for over 20 million square feet of light and general industrial uses), a 1.2 million square foot regional shopping mall, a factory outlet mall, a "lifestyle center," and a major auto mall (with over 20 dealerships). As of July 2004, the assessed valuation of the City was \$16.3 billion. Visitors can access the city by two freeways – Interstate 5 (which runs along the coast) and State Route 78 (which runs along the northern boundary of the City), by the SDNR Coaster rail line (which lies parallel to the I-5 route), and by several major roads following both inland and coastal routes.

III. WHAT IS A GENERAL PLAN?

A. STATE LAW

Unless otherwise noted all citations in this general plan to state law are to Chapter 3, Division 1, Title 7 of the California Government Code.

Purpose

California state law (Government Code Section 65300) requires each city and county to prepare and adopt "...a comprehensive, long-term general plan for the physical development of the county or city, and any land outside its boundaries which...bears relation to its planning." The role of each community's general plan is to act as a constitution for development, the foundation upon which all land use decisions are to be based. It expresses community development goals and embodies public policy relative to the distribution of future land and its use, both private and public.

"The role of each community's general plan is to act as a constitution for development, the foundation upon which all land use decisions are to be based."

Preparing, adopting, implementing, and maintaining a general plan serves to

- Identify the community's land use, circulation, environmental, economic, and social goals and policies as they relate to land use and development.
- Provide a basis for local government decision-making, including a nexus to support development exactions.
- Provide citizens with opportunities to participate in the planning and decision-making processes of local government.
- Inform citizens, developers, decision-makers, other cities and counties, and special districts of the ground rules that will guide development within the community.

The adoption or amendment of a general plan is undertaken by resolution of the City Council, and, as such, is a legislative act.

The requirements for findings, notice, and hearing for a general plan adoption or amendment are those specifically mandated by state statutes and regulations or by local ordinance. As such, a general plan's provisions are subject to the California initiative and referendum processes.

Content and Form

State law (Government Code Section 65302) establishes:

The general plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals. The plan shall include the following elements:

- (a) *land use...;*
- (b) *circulation...;*
- (c) *housing...;*
- (d) *conservation...;*
- (e) *open space...;*
- (f) *noise...; and,*
- (g) *safety.*

A description of the general content of the seven mandated elements is also set out in this section of state law. The state's requirements are reviewed at the beginning of each element of the Carlsbad General Plan. In addition, state law provides detailed requirements for the preparation and content of the Housing Element (Article 10.6) and specific definitions and contents for the open space plan which is to be contained in the Open Space Element (Article

10.5). The full text of these sections of state law is provided in an appendix to the Carlsbad General Plan, Section XII.

State law authorizes a city to organize the contents of its general plan in any way that the city sees fit. In addition, it establishes that

The general plan may include any other elements or address any other subjects that, in the judgments of the legislative body, relate to the physical development of the...city. (Government Code Section 65603).

Carlsbad has chosen to expand the scope of its general plan in several areas. In addition to “The Vision” and “Introduction” these areas include: the addition of a description to the Land Use Element of the City’s growth management program and approach to facilities planning; the combination of the Open Space and Conservation Elements into a single element, together with the addition of a section addressing historic preservation; the addition of a section on scenic highways to the Circulation Element; and the addition of two separate optional elements, one the Arts Element, addressing the visual and performing arts, and the other, the Parks and Recreation Element, addressing the City’s parks and recreation programs and facilities.

Amending the General Plan

A general plan should be amended when it is in the public interest to do so. As with its original adoption, a City Council resolution amending the General Plan is a legislative act, subject to the public hearing and referendum processes.

State law (Government Code Section 65358) limits the number of amendments of any mandatory element to four each year. There is no limit on the number of annual amendments for optional elements. Proposed amendments can be initiated by the City Council or by any member of the public. The limit of four amendments per year for mandatory elements does not apply under several circumstances, including:

- Amendments requested and necessary for specified affordable housing projects;
- Amendments necessary to bring a general plan into conformity with any court decision on a case involving the legal adequacy of the general plan.
- Amendments necessary to bring a general plan into conformance with a required airport land use plan (See below also IV.C. for a discussion about the airport land use plan for McClellan-Palomar Airport);
- Amendments needed in connection with the adoption of a comprehensive development plan under the Urban Development Incentive Act (Health and Safety Code, Section 56032(d); and
- Any amendments for the purpose of developing a certified Local Coastal Program (See section IV.C below for a discussion about the Carlsbad Local Coastal Program).

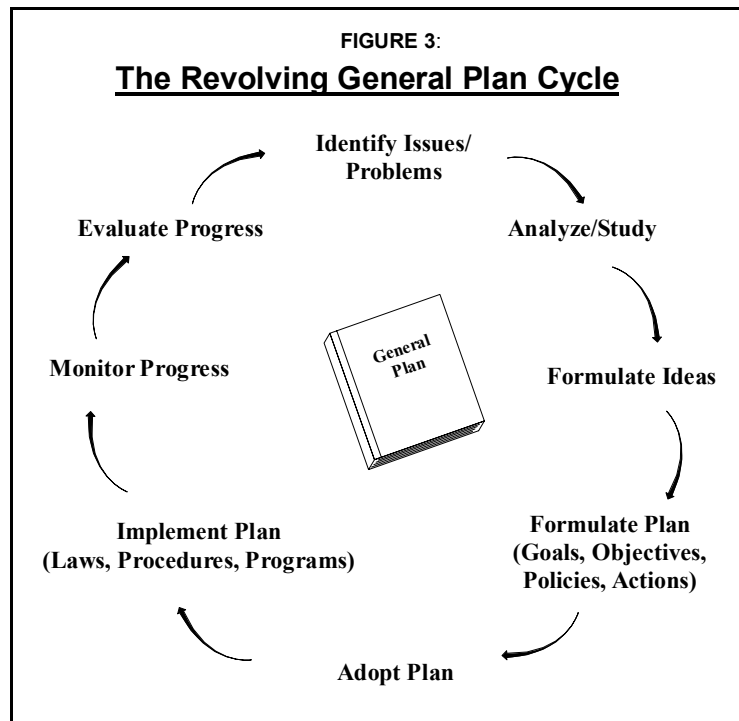
B. GENERAL PLAN IMPLEMENTATION

The General Plan “Cycle”

Upon adoption, a general plan represents a snapshot in time of values, politics, and conditions. These factors exist not only at the local level, but also at the regional, state, and national levels. Since these factors are continually in flux, local governments must continually monitor the relevance of their plans to ensure that they remain in touch with their evolving local and extended communities. Therefore, a general plan should be a dynamic, evolving document. The statutory provision for up to four amendments to each required element each year plus California case law all support this view of general plans. The general plan should be reviewed at least annually for any need for amendment, and a comprehensive review should be undertaken about every five years. State law requires that the Housing Element be comprehensively reviewed every five years.

The process of preparing and properly maintaining a dynamic general plan involves a series of steps that are repeated in a recurring cycle. These steps are portrayed graphically in Figure 3: “The Revolving General Plan Cycle.”

- **Identify Issues and Problems.** Issues and problems can be tentatively identified by a range of parties, including the citizenry, city staff and officials, other agencies, and through formal monitoring programs. Once issues or problems have been tentatively identified, it is necessary to articulate them precisely and clearly. Forming a consensus on and making a clear statement of “the problem” can be one of the more challenging steps of the cycle.
- **Analyze/Study.** Often it will be necessary to study problems or issues in some depth to determine their full nature and to identify spin-offs and possible responses. Technical studies and analysis may be required when dealing with traffic, noise, geotechnical hazards, or other complex subjects. Depending upon the nature of the needed studies, this step can require an extended time to complete.
- **Formulate Ideas.** Once an issue has been explored and a problem clearly identified it is time to formulate ideas on possible responses and actions. Depending upon the number and complexity of the issues this step of the cycle may involve both thoughtful brainstorming and spirited community dialogue.



- Formulate the Plan. All of the ideas must eventually be organized into a coherent plan or plan amendment. In the case of an amendment the new proposal must be integrated into the existing plan in such a way as to be consistent with the balance of the plan's contents. Raw ideas must be carefully formulated into background information, goals and objectives, policies and standards, or proposals for implementing action. Appropriate text, graphics, and data must be prepared to communicate the plan faithfully and clearly.
- Adopt the Plan. Once a draft of the plan or amendment is prepared, it must be adopted by the City through a formal public hearing process. At this time the entire community can debate the pros and cons of both the basic ideas and the specific language of the proposal.
- Plan Implementation. An adopted plan is an expression of a community's aspirations. However, if it just sits on a shelf those aspirations will not be fulfilled and the plan will be of little value. Only with the subsequent adoption of implementing laws, operating procedures, and action programs which are based upon the plan, will it then come to life. Upon the adoption of a plan or plan amendment this step of the cycle should be undertaken in a prompt and forthright way.
- Monitor Progress. How do the members of the community know that their general plan is working or even being implemented? Are the goals and objectives that were so carefully developed and debated being met? These questions can only be answered if ongoing monitoring programs are put into place. Such programs, tailored to the specific goals and programs of the general plan, need to include the ongoing collection of data and the regular production of reports for the review and discussion of the entire community.
- Evaluate Progress. A community should not hesitate to look in the mirror and to evaluate itself and its plan. If it is achieving its goals and objectives, the achievements should be noted and celebrated; if it is falling short, it should take note and either try harder or re-evaluate the worth of the original goals and objectives. As was noted above, circumstances and needs change; a community lives in a state of constant flux. With active monitoring and periodic evaluation, emerging issues can be identified before they become crisis problems.

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Thus the process comes full cycle. While a five-year cycle is typical for a comprehensive general plan review, in practice, individual elements or parts of elements may require review on a more frequent basis. The frequency will depend upon the forces operating within the community and their interactions.

Consistency with the General Plan

Since the early 1970s the planning theory in California (supported both by state statutes and an increasing body of case law) has evolved into what is called “the consistency doctrine.” Put simply, this doctrine says that governments engaging in land use planning – as epitomized by the general plan – must base their official regulatory land use and development controls on, or make them consistent with, such planning. In particular, the California legislature changed land use planning law by adding requirements in 1970 requiring open space zoning and

building permits to be consistent with the open space plan of the general plan and in 1971 requiring subdivision approvals and zoning to be consistent with the general plan. Other statutes, while not mandating consistency directly, required findings or a report on whether various local actions conform to the general plan.

Today, to one degree or another, all of the following may be undertaken only when consistent with the local general plan: agricultural preserves; building and housing regulations; capital improvements; development agreements; housing authority projects; integrated waste management; interim classroom facilities; large-scale urban development projects; local coastal plan ordinances; low- and moderate-income housing; mineral resource development and extraction; on-site wastewater disposal zones; open space; park dedications; parking authority projects; Planning Commission recommendations; project review under the California Environmental Quality Act; redevelopment agency plans; reservations of land within subdivisions for public facilities; specific plans; street, highway, and service easement abandonments; subdivisions; transmission lines; use permits; and zoning.

While all of these government activities are important in Carlsbad, five in particular form the core of the regulatory and planning environment that implements the Carlsbad General Plan:

- Zoning.
- Specific Plans and Master Plans.
- Subdivisions.
- Capital Improvement Plan.
- Environmental Protection Procedures.

Zoning

Zoning is the primary mechanism for implementing a general plan. In contrast to the long-term outlook of the general plan, zoning focuses on the immediate uses of land. Also, in contrast to the general plan, which is adopted by resolution, zoning is adopted by ordinance.

“Zoning is the primary mechanism for implementing a general plan.”

The City's zoning ordinance regulates land use by dividing the community into districts or “zones” and specifying the uses that are to be permitted and/or prohibited within each district. For each zone, written regulations establish standards for minimum lot size, building height, setback limits, fence heights, parking, signs, and other development parameters. The ordinance consists of a text setting out the regulations, and a map establishing the spatial relationships and locations of zones.

Land uses of compatible intensity are grouped together and obnoxious and hazardous uses are separated from residential areas.

Every zoning action, such as the adoption of an amendment to the official zoning map or the approval of a planned unit development, must be consistent with the general plan. By the same token, when an amendment to the general plan makes some aspect of zoning inconsistent with the plan, the zoning must be changed to reestablish consistency “...within a reasonable time” (Government Code Section 65860(c)).

The authority for zoning is derived from the police powers of the local jurisdiction. In Carlsbad, as in many other jurisdictions, this zoning authority has been expanded to include a range of

related regulatory and planning tools, including: planned unit development zoning, mixed use zoning, inclusionary housing, project design review, and transfers of development rights.

Specific Plans and Master Plans

State planning law (Article 8, Chapter 3, Division 1, Title 7, of the Government Code) provides for the development and adoption of specific plans "...for the systematic implementation of the general plan for all or part of the area covered by the general plan." (Section 65451.) Specific plans may be prepared by either the private or public sector, but must be adopted (either by resolution or ordinance) by the local legislative body. The purpose of specific plans is to assemble in one package a set of land use specifications and implementation programs tailored to the unique characteristics of a particular site, in keeping with the general plan. They may combine both policy and regulatory functions.

As a minimum, a specific plan must include a statement of its relationship to the general plan and a text and diagrams specifying all of the following, in detail:

- (1) *The distribution, location, and extent of uses of land, including open space, within the area covered by the plan.*
- (2) *The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.*
- (3) *Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.*
- (4) *A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (1), (2), and (3). (Government Code Section 65451.)*

In Carlsbad, specific plans are required to be prepared for all areas subject to combination zoning. They are also used in other areas of the City.

A master plan is a generic term used for many types of comprehensive planning documents. In Carlsbad, master plans have been prepared for a range of planning efforts, including the master drainage plan, master sewerage plan, master plan for the redevelopment area, and others.

The Municipal Code establishes one very important use of the term master plan for implementing development in areas zoned Planned Community (PC). Many areas of the City are subject to this designation. A master plan for the development of a planned community in many ways resembles a specific plan. In addition to the matters required for specific plans, they must contain a landscaping plan for all open areas, a community identification sign program, and an element dealing specifically with parkland dedications, including a preliminary environmental survey of proposed park sites. Where specific plans may be prepared for any sized area, the planned community for which a master plan is prepared must be both at least 100 acres in extent and under one ownership or other form of unified control.

In practice, both master plans for planned communities and specific plans serve as bridges between the general plan and zoning. On the one hand, they can customize the application of general plan land use objectives and principles to the unique characteristics of an individual site. On the other, like zoning, they can contain development regulations. However, unlike zoning, these regulations are tailored to specific circumstances associated with the site, including custom construction standards, the phasing of long-term development, and the inclusion of a financing plan for public capital facilities. The last is particularly important in Carlsbad, as the City's growth management plan is fundamentally a facilities-driven plan. Prior to their adoption, both specific plans and all types of master plans must be found consistent with the general plan. All development projects and all capital facilities construction programs proposed in areas subject to an adopted specific plan or master plan must conform to that plan.

Subdivision Regulation

Subdivision regulation, like zoning, is an exercise of police power and a principal instrument for implementing the general plan. The California Subdivision Map Act establishes statewide uniformity in local subdivision procedures, but generally gives local jurisdictions broad authority to regulate design and improvement of subdivisions and to require dedications of public improvements or in-lieu fees. Design and improvement standards may include: street alignments, grades and widths; drainage and sanitary facilities; lot size and configuration; traffic access; and other measures "...as may be necessary or convenient to ensure consistency with, or implementation of the general plan." (Government Code Sections 66418 and 66419). Dedications of public improvements or payments of in-lieu fees may be required for: streets, alleys and other public easements; bicycle paths; local transit facilities; park and recreation facilities; school sites; access to coastlines and waterways; and bridges and major thoroughfares. Section 66473.5 of the Government Code specifies that no city or county shall approve a tentative subdivision map (or parcel map not requiring a tentative map) unless the decision-making body first finds that the subdivision, together with its design and improvement provisions, is consistent with the general plan or any applicable specific plan.

Capital Improvement Plan

The development of publicly owned facilities such as streets, water and sewer facilities, public buildings, and parks form the internal framework of a community. The capacities of public facilities and the timing and pattern of their installation will play a critical role in implementing the general plan by affecting the pattern of land use, the rate of growth, and the ultimate size and intensity of development.

The long-term planning, phasing, and construction of capital facilities to support a pre-determined optimum population and intensity of development is the heart and basic tenet of Carlsbad's growth management program. Carlsbad has established performance standards for eleven classes of public facilities and services. The City's municipal code establishes that the City be divided into 25 "Facilities Management Zones" for the planning of most of these facilities and to support the land use planning objectives set out in the general plan and the specific plans and master plans discussed previously.

Like most cities, in lieu of considering individual capital improvements associated with municipal and private projects, Carlsbad annually revises and adopts a build-out citywide capital improvement program. The program is derived from the citywide capital needs list. Funding is appropriated by the City Council annually to undertake the development of the facilities called for in the following year's adopted Capital Improvement Program. As part of this process, and in keeping with one of its statutory functions, the Planning Department "...[a]nnually review[s] the capital improvement program...and the local public works projects of other local agencies for their consistency with the general plan..." (Government Code Section 65303).

Please see the Land Use Element for additional information regarding the City's growth management program.

Environmental Protection Procedures

The California Environmental Quality Act (CEQA) is the state law that establishes procedures by which all public agencies review both public and private projects for their environmental effect. Chapter 3., Division 6., Title 14 of the California Administrative Code sets out official guidelines for carrying out CEQA. In Appendix G, the Initial Study Check List (required as part of the analysis to determine if an Environmental Impact report is required for a project), calls for an answer to the following question: "Would the project...b) Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?". Section 15125(d) of the *CEQA Guidelines* requires a discussion of a project's consistency with the local general plan in the "environmental setting" section of any Environmental Impact Report.

"Carlsbad has a wealth of environmental resources and much of the content of the Carlsbad General Plan is concerned with their protection..."

Carlsbad has a wealth of environmental resources and much of the content of the Carlsbad General Plan is concerned with their protection, particularly key portions of the Circulation Element, the Open Space and Conservation Element, and the Safety Element. Title 19 of the Carlsbad Municipal Code sets out the City's procedures for implementing CEQA. When a City or private development project is reviewed pursuant to Title 19, the review includes an analysis of how the project furthers or conflicts with the general plan's environmental goals and objectives. Projects that are in conflict are considered to have significant environmental effects.

The *CEQA Guidelines* (Section 15901) stipulate: "No public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant environmental effects of the project unless the public agency makes one or more finding for each of those significant effect." The possible findings, which must be supported by substantial evidence in the official record, include:

- (1) *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the final EIR.*

- (2) *Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.*
- (3) *Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR (Section 15901).*

If either the second or third of the above findings is made for a significant environmental impact, the project can be approved only if the approving agency makes a written statement of overriding considerations setting out the specific reasons to support its action.

The adoption of a general plan constitutes a public “project” for the purposes of the California Environmental Quality Act. With the adoption of the Carlsbad General Plan in 1994, a Master Environmental Impact Report (MEIR) was prepared. Please see this MEIR for the analysis of environmental issues associated with this plan, including the effect of mitigation measures that were incorporated, and the findings that were made for the plan’s adoption.

Important Federal environmental laws and regulations are discussed, below, in section IV C.

C. THE GENERAL PLAN AND THE DEVELOPMENT PROCESS

If a developer wants to subdivide land and develop it with improvements and buildings, he must first obtain from the local government permission to do so. The authority to approve subdivision maps pursuant to the state Subdivision Map Act and the power to zone and regulate land are police powers which are explicitly derived from state law. Prior to approving any subdivision map or any permit derived from zoning authority a city is required to make specific findings of fact.

In the case of a subdivision or parcel map, the Subdivision Map Act requires a city to deny approval of the subdivision if it finds that:

- The proposed subdivision map is inconsistent with the applicable general plan and specific plan;
- The subdivision’s design or proposed improvements are inconsistent with the applicable general plan or specific plan;
- The site is physically unsuited for either the type or proposed intensity of development; or
- The subdivision’s design or improvements are likely to cause substantial environmental damage or cause public health problems (Government Code Section 664774).

Further, these findings must be made in writing and be supported by substantial evidence in the record.

Since zoning is required to be consistent with the general plan, both a) proposals to zone or re-zone land, and b) requests for permits that derive from zoning authority must be found to be consistent with the general plan.

Thus, the development permitting process administered by the local government is based upon the general plan. In Carlsbad, the Municipal Code requires that, prior to granting their approval, all of the following development controls and permits must be found to be consistent

with the general plan: tentative and final maps, parcel maps, zone changes, conditional use and special use permits, residential and non-residential planned developments, master plans used to implement PC zoning, and all variances.

IV. HOW TO USE THIS GENERAL PLAN

A. THE HORIZON: GETTING THERE



It is customary for a general plan to indicate the official future period during which it will be in effect.

In some plans this period has a discrete beginning and end, with the end being tied to a specific “horizon year” 15 or 20 years in the future. The plan takes the position that it cannot anticipate the needs of the community beyond the horizon year and, therefore, the plan will be in effect only until that time, upon which it will have to be revised in order to have any on-going relevance.

Alternatively, the plan may be designated a “build-out” plan, without a horizon year. It is assumed that the plan will direct the future development of the city to some theoretical end-point (the “build-out” state) at which point all the land of the city will have been developed in accord with the policies and proposals of the plan.

Both approaches have merits and limitations. In considering the approach to use with this general plan, note was made of the way a city typically grows and evolves.

Carlsbad has followed the pattern typical of most cities in California. It started small, on undeveloped land, and continued to grow larger neighborhood by neighborhood, district by district over many years. Thus, “build-out” has occurred and continues to occur in a hierarchical way. First, lots build out, followed by blocks, neighborhoods, districts, communities, and, once annexation ceases, eventually the entire city. For the various districts and neighborhoods development will occur at different times – and hence, so will build-out.

Yet once a given district has been developed, change continues. With time: buildings and people age; families come and leave; infrastructure wears out and demands maintenance or replacement; commercial strategies evolve, resulting in changes to businesses; new industries are created; styles, needs and wants change; and everything is affected by new technologies and evolving social patterns.

Through it all each neighborhood and district typically follows a natural physical and social evolutionary pattern. Starting as new development, it grows into maturity. As the useful lives of buildings and facilities come to a close, it becomes ripe for renewal and redevelopment. This is the typical urban pattern.

In a city of any size, especially one developed over many years, neighborhoods and districts will exist at all stages of this natural evolution. While much of Carlsbad is newer, having been developed since the 1970s, it has its older neighborhoods, some of which are today included in either of the two official redevelopment districts.

As of 2004, the City was approximately three-quarters built-out. Long-range forecasts conducted by the San Diego Association of Governments in 2003 suggest that the pace of absorbing vacant land in Carlsbad will continue to follow historic trends until around 2020 when the larger tracts will have been developed. Thereafter, only infill development will occur, and at

“As of 2004, the City was approximately three-quarters built-out. ...The inventory of residential land will be fully absorbed by around 2030 and the stock of vacant non-residential land may last until about 2040.”

a significantly slower pace. The inventory of residential land will be fully absorbed by around 2030 and the stock of vacant non-residential land may last until about 2040. Under these assumptions, before the city absorbs all of its vacant land (reaching “build-out”) many neighborhoods will have already advanced through their life cycles, entering the next cycle through redevelopment.

The City has adopted an aggressive growth management plan in which major public facilities are being planned and their capacities sized to accommodate the yields of people and structures anticipated to result from fully utilizing the City’s land in accord with the general plan. In this sense, there will be an upper limit on the ultimate population and intensity of development in Carlsbad and its sub-areas, no matter the stage of evolution of the individual neighborhoods and districts at any particular point in time. Hence, a build-out condition will eventually come about, at least in

terms of the capacities of public facilities and the physical and financial resources needed to create and support them. This type of facilities planning requires a long-term orientation, because pipelines in the ground, roads, and other infrastructure facilities have useful lives ranging typically from 50 to over 100 years. Clearly, a vision (or horizon year) of only 15 to 20 years is inadequate for such planning.

In consideration of these observations, the general plan for the City of Carlsbad was designed without a horizon year. But, recognizing the reality of neighborhood evolution, neither is it a “build-out” plan in the traditional sense. Rather, this general plan is intended to be a living document, one which will grow and evolve with the dynamics of the community.

When adopted, the General Plan proposed a picture of an ideal, end-state in keeping with both the values set out in “Carlsbad – The Vision” (found on page 2 of this document and at the beginning of the Vision and Introduction, within the plan) and the land use policies and proposals. However, it is always to be understood that this theoretical end-state will probably never be realized, though the values and vision may continue to be carried forward. In keeping with the concept of a general plan cycle it is intended that the Carlsbad General Plan will be reviewed periodically, and that it will be amended from time to time, as circumstances and the public interest warrant. With each minor and major amendment the picture of that ideal end-state, toward which the City aspires, will have been changed and improved.

B. ORGANIZATION OF THE GENERAL PLAN

Contents

In its entirety the Carlsbad General Plan consists of the following parts and sections:

- Vision and Introduction.
- Land Use Element.
- Circulation Element.
- Housing Element.
- Open Space and Conservation Element.
- Noise Element.
- Public Safety Element.
- Parks and Recreation Element.
- Arts Element.

It is available in two forms. The entire Carlsbad General Plan is packaged as a single document. Alternatively, the elements may be obtained individually. Any individual element is to be accompanied by the Vision and Introduction.

The Vision

At the beginning of this *Guidebook* (and at the beginning of the Vision and Introduction) is a single page titled “Carlsbad – The Vision.” Although short, this page contains ten overall goal statements, which, in combination, form the heart of the General Plan. These goals constitute not only aspirations and values for the City’s ultimate development, but also performance standards by which the City’s progress can be measured. As the title indicates, these ten goals represent the City’s vision of future Carlsbad. Everything in this general plan is founded upon this vision.

The Elements

While they vary considerably in length, each element has the same fundamental organization, consisting of two major parts: a section containing introductory and background information, and a policy section.

The introduction and background section recites the requirements of state law for the particular element and speaks to the relationship of the element to the other elements of the general plan. The balance of the section varies from element to element, but may contain additional background information, an analysis of issues and concerns, definitions, and/or generalized standards and criteria.

The policy section of each element is its heart. In this section the City establishes the “statement of development policies...includ[ing] objectives, principles, standards and plan proposals” required by state law (Government Code Section 65302). There are three sub-sections setting out a) goals, b) objectives, and c) implementing policies and action programs.

What Are Goals, Objectives, and Implementing Policies and Programs?

The policy section of each element uses a hierarchy of planning statements ranging from the generalized to the specific. All of these statements are derived from the City’s vision statement.

Goals – A goal is a statement of an ideal future end-condition or state related to the public health, safety, or welfare toward which planning and planning implementation measures are directed. A goal is an expression of community values, and is, therefore, abstract in nature. Consequently, in this general plan a goal statement is not quantified, time dependent, or suggestive of specific actions for its achievements (e.g. “Housing Element Goal 2: New housing developed with a diversity of types, prices, tenures, densities, and locations and in sufficient quantity to meet the demand of anticipated City and regional growth.”).

Objectives – An objective is a specific end-condition or state that is an intermediate step toward attaining a goal. It should be achievable and, when possible, measurable and time-specific. An objective may pertain to one particular aspect of a goal or may be one of several successive steps toward the achievement of a goal. Each goal should have one or more specific objectives describing what should result in trying to achieve the goal (e.g. “Housing Element Objective 2.1.: Allow development of sufficient new housing to meet Carlsbad’s share of the total regional housing needs, as identified in SANDAG’s *Regional Housing Needs Statement*. Target: Approximately 6,214 units.”).

Implementing Policies and Programs – These statements articulate measures designed to bring about attainment of the objectives and goals. In this general plan they range in specificity from generalized guidelines and principles, to procedures, to specific action programs. In measuring the progress the City makes towards its objectives, and therefore towards its goals, it is the effectiveness of these implementing policies and programs that will be measured.

C. FITTING IT ALL TOGETHER: THE GENERAL PLAN’S RELATIONSHIPS WITH OTHER PLANS AND PLANNING PROGRAMS

While the general plan is perhaps the most important planning document and program in a city, it is certainly not the only one. It may not even be the planning tool that is used with the greatest frequency in day-to-day planning activities. Other plans and planning programs exist at the national, state, regional, and the local level. Some of these other plans and programs provide guiding principles that are used in the formulation of a general plan, others parallel or complement local general plans; still others are derived from and serve to implement the local general plan. The planning environment in a given locale includes all of these plans and programs. It behooves any party to understand the objectives and requirements of these plans when embarking upon development proposals or other proposals dependent upon or affecting the natural or built environment. Derivative plans and planning activities such as local specific and master plans, zoning, subdivision regulations, and capital improvement plans have been discussed earlier in this section.

Other important plans and planning programs include the following:

Federal

- *National Environmental Policy Act (NEPA)*

Enacted in 1973, this act parallels the California Environmental Quality Act. It provides a procedure for the preparation of documents that evaluate the environmental consequences of construction and development projects that are either undertaken directly by the federal government or are funded by it.

- *Endangered Species Act and Natural Community Conservation Act*

The Federal Endangered Species Act was first enacted in 1970 and substantially revised in 1984 to provide closer relationship to NEPA. The Act calls for the listing of threatened and endangered species and the development and implementation of recovery plans intended to bring these species back to a state of health. The Natural Community and Conservation Act was adopted by the California state legislature in 1991 and brought about a shift from the traditional single-species protection approach under NEPA to a broader, multi-species approach centered on ecosystem protection. Together the two acts set out a procedure that calls for advance consultation between all relevant agencies (such as the U.S. Fish and Wildlife Service, Army Corps of Engineers, National Marine Fisheries Service, and the California Department of Fish and Game) when development proposals may impact upon the habitats of sensitive species.

“Of major concern...is the preservation of Coastal Sage Scrub, home to the California gnatcatcher and approximately 90 other potentially threatened species of plants and animals.”

Of major concern in Southern California is the preservation of Coastal Sage Scrub, home to the California gnatcatcher and approximately 90 other potentially threatened species of plants and animals. In San Diego County a Multiple Species Conservation Program (MSCP) has been in development for over a decade to protect coastal sage scrub and other local habitats. The objective is to create a system of inter-linked habitats throughout San Diego County, which, when adopted, will provide for the ultimate protection of sensitive species by clarifying what areas need to be set aside in perpetuity as managed habitat and what areas can be developed. After nearly 12 years of effort, all parties finally approved in the summer of 2004 Carlsbad's portion of this plan, the Habitat Management Plan. For 2005, the City has slated the preparation of amendments to the Land Use Element and the Open Space and Conservation Element of the Carlsbad general plan to incorporate the land use-related provisions of this plan.

- *Community Development Block Grant Program*

This is a federal program, which provides funds to local governments to undertake a range of projects associated with community development and improvement. Broad discretion on the use of the funds is granted to the local jurisdiction. The City Council allocated its 2004-2005 Community Development Block Grant, in the amount of \$601,000, for funding for 17 local social-service community groups, as well as funds to create low-income affordable housing.

State

- *Airport Land Use Commission Law*

This law requires the creation of an Airport Land Use Commission in each county with one or more airports. It further requires the Commission to prepare and adopt a 20-year Airport Land Use Plan (ALUP) for each airport in its jurisdiction, the purpose of which is to

“Under state law a local general plan must be amended to be consistent with an airport’s ALUP.”

minimize conflicts over height and noise with surrounding land uses. As part of this plan the Commission may specify allowed land uses and determine building standards (including height restrictions) within the area subject to the plan. Under state law a local general plan must be amended to be consistent with an airport’s ALUP. An ALUP has been prepared for the San Diego County-owned McClellan-Palomar Airport located in Carlsbad. In the Carlsbad general plan an Airport Influence Area has been established to assure consistency with the McClellan-

Palomar Airport ALUP. The airport is discussed in several places in this general plan, particularly in the Noise Element, Public Safety Element, and Circulation Element.

- *California Coastal Act*

The Act provides for the implementation of statewide coastal policies through preparation, adoption, and certification of Local Coastal Programs (LCPs) in each city and county with lands that lie within the California Coastal Zone (generally within 1,000 yards of the mean high tide line). Local Coastal Programs consist of two parts: a coastal land use plan (the policy framework for coastal issues, including a land use map) and implementing zoning, ordinances, and regulations. Development projects must obtain coastal development permits in addition to whatever other local permits are required for development projects. Approximately one-third of Carlsbad lies within the Coastal Zone. The City has divided this area into six segments for coastal planning. While some cities integrate their local coastal program policies into their general plan, for historical reasons Carlsbad maintains them as a document separate from the general plan. Carlsbad issues Coastal Development Permits for most (but not all) areas of the city. Please see the Land Use Element of this general plan for more information about Carlsbad’s local coastal plan and its implementation.

- *Alquist-Priolo Special Studies Zones Act*

This act requires cities and counties to adopt procedures for review of development proposals within earthquake fault zones designated by the State Geologist. Although Carlsbad does have earthquake faults, none are considered active and the State Geologist has not designated an official fault study zone in Carlsbad.

- *California Land Conservation Act (Williamson Act)*

The Act provides for the creation of agricultural preserves to protect agricultural lands. It includes procedures for preferential tax assessment in exchange for release of development rights. Carlsbad has only one Williamson Act reserve, of approximately 330 acres, at “The Flower Fields” along the east side of I-5.

- *Cobey-Alquist Flood Plain Management Act*

This Act encourages local governments to plan, adopt, and enforce land use regulations for floodplain management. Carlsbad has several major natural drainages that warrant such planning. Please see the Public Safety Element.

- *Integrated Waste Management Act 1989*

In support of the declared objective of reducing the state's production of solid waste by 25 percent by 1995 and 50 percent by 2000, the Act requires counties, in cooperation with cities, to prepare comprehensive integrated waste management plans which impose recycling, composting, and other strategies to reduce the amount of wastes deposited in landfills. The plan consists of a countywide siting element and individual source recycling and reduction elements prepared by the county and each of the cities. Upon its adoption, local general plans should be amended to reflect the location of major future facilities (landfill sites, transfer stations) and to provide compatibility between these uses and surrounding uses. At the time of adoption of this general plan the County Integrated Waste Management Plan was still in preparation.

- *Surface Mining and Reclamation Act*

The Act provides for the identification, designation, classification, and protection of areas with minerals of statewide or regional significance to assure that said areas will not be developed with uses that preclude resource extraction. It also provides for local permitting (under state guidelines) for mining and extraction operations and for the preparation of plans for the reclamation of sites following resource extraction. The general plan is to refer to the location of identified mineral deposits and their status. Please see the Open Space and Conservation Element for information on Carlsbad's one sand and gravel mining operation.

Regional

- *County Hazardous Waste Management Plan*

In lieu of the hazardous waste portion of the County Solid Waste Management Plan (see above), a county may prepare and adopt a separate County Hazardous Waste Management Plan (CHWMP). The plan is a county's primary planning document for managing all hazardous wastes produced in the county. The plan's preparation is a cooperative effort involving the county, the cities within the county's jurisdiction, the state, and the waste industry. Upon its completion the plan must either be incorporated, by reference, into the county's and cities' general plans or the jurisdictions must enact ordinances requiring that all applicable zoning, subdivision, conditional use, and other development decisions be consistent with the CHWMP. San Diego County has prepared and adopted a CHWMP and Carlsbad has adopted an ordinance in keeping with the plan and state requirements.

▪ *Regional Comprehensive Plan*

In July 2004, following two years of planning efforts, the San Diego Association of Governments (SANDAG) adopted a Regional Comprehensive Plan (RCP) intended to show how the San Diego region can accommodate the growth of one million more people by 2030. This action capped work that first began with the passage of countywide advisory Proposition C in 1988 that called for the development and implementation of a Regional Growth Management Strategy to address both growth and related quality of life issues within the county. Following a gradual evolution of planning efforts over many years, state legislation in 2001 empowered the member agencies of SANDAG to create a regional comprehensive plan and established the authority that such a plan might have.

The plan has been designed to roll under its auspices several existing regional programs and plans, especially relating to regional transportation planning, and to supplement these with an umbrella policy framework based upon “smart growth” land use principles. The plan is intended to establish the regional land use and transportation system framework upon which all other regional infrastructure (water, wastewater, schools, energy, etc.) and other planning efforts will be subsequently based. The state implementing legislation did not empower SANDAG to take over local land use authority, however. Rather, the RCP is to serve as the basis for local jurisdictions to amend their local general plans in keeping with the agreed-upon framework. As inducements to do so, the RCP calls for expenditures of transportation and other regional funds to be prioritized to give precedence to projects that are proposed in keeping with the adopted smart growth principles. Local jurisdictions are now asked by SANDAG to amend their general plans and other policy documents so as to implement the regional plan.

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Some of the major programs now rolled into the Regional Comprehensive Plan include:

- State Congestion Management Planning work needed to address existing and anticipated major road and freeway failures.
- Regional Transportation Plan (20-year regional infrastructure plan).
- Regional Transportation Improvements Plan (near and mid-term capital expenditure plan).
- Regional habitat management planning and regional parks planning.
- State-mandated regional housing needs assessment planning.

Carlsbad

The City itself has a number of plans which supplement the General Plan. These include specific plans, master plans for planned communities, master plans for the two redevelopment areas, and six Local Coastal Program segment plans. Each contains special policy and/or regulatory provisions to which development must adhere.

Other Local Plans

School districts, water districts, sanitation districts, other special districts, and public utilities (including SDG&E and both wired and wireless telephone service providers) have master plans for the development of their capital facilities in Carlsbad. Careful consideration is required between the City and these districts and utilities to assure that all plans and capital developments are consistent one with the other. In general, the City's general plan (now in conjunction with the Regional Comprehensive Plan) serves as the over-arching guide for all of these planning efforts. In addition, neighboring cities and San Diego County have their own general plans, each of which must be coordinated with the other agencies' and with Carlsbad's.

Usage

In general, parties contemplating development in the City of Carlsbad should familiarize themselves with all of these plans and planning programs. Review copies of most of the adopted plans are available through the City; all City plans and some plans of other agencies are available for purchase through the City. Contact the Planning Department for further information.

The Carlsbad Planning Department is located at:

1635 Faraday Ave, Carlsbad CA 92008

(760) 602-4600

Hours: Monday – Thursday (7:30 AM to 5:30 PM)
Friday (8:00 AM to 5:00PM)

For additional information, see also the city's website at:
www.ci.carlsbad.ca.us

